

City Council Introduction: Monday, June 30, 2003  
Joint Public Hearing of the Lincoln City Council  
and Lancaster County Board of Commissioners:  
Thursday, July 10, 2003, 5:30 p.m.

Bill No. 03R-171

## **FACTSHEET**

**TITLE:** **COMPREHENSIVE PLAN AMENDMENT NO. 03015**, by the Director of Planning, at the request of J. Michael Rierden, on behalf of Lincoln Federal Savings Bank, to amend the 2025 Lincoln/Lancaster County Comprehensive Plan, to move the Community Center commercial designation from ½ mile south of S. 40<sup>th</sup> Street and Yankee Hill Road to S. 27<sup>th</sup> Street and Yankee Hill Road; to move the Neighborhood Center designation from S. 27<sup>th</sup> Street and Yankee Hill Road to ½ mile south of Yankee Hill Road and west of S. 40<sup>th</sup> Street; and to add industrial use ½ mile south of Yankee Hill Road on the west side of S. 40<sup>th</sup> Street for future "employment center".

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: 05/21/03  
Administrative Action: 05/21/03

**RECOMMENDATION:** Approval (6-0: Carlson, Larson, Duvall, Taylor, Steward and Schwinn voting 'yes'; Bills-Strand and Krieser absent).

**STAFF RECOMMENDATION:** Approval.

### **FINDINGS OF FACT:**

1. The staff recommendation to approve this request is based upon the "Status/Description", "Comprehensive Plan Implications" and "Conclusion" as set forth in the staff report on p.2-6, concluding, in part, that the proposed changes to the Comprehensive Plan are in conformance with the goals of the Plan for commercial centers, and will provide an additional location for a light industrial employment center in south Lincoln.
2. The applicant's testimony is found on p.7.
3. Testimony in opposition is found on p.7-8, and the record consists of one letter in opposition from the Friends of Wilderness Park (p.15), with concerns about increased pressure to widen 27<sup>th</sup> Street between South Street and Highway 2; the potential negative impact of moving two larger commercial centers closer to Wilderness Park; and the potential impact on stormwater planning.
4. The record also consists of testimony by Mark Hunzeker (p.8) and a letter from Mark Hunzeker on behalf of property owners on the northeast, southeast and southwest corners of South 40<sup>th</sup> Street and Rokeby Road, taking exception to the elimination of a community commercial center in the vicinity of 40<sup>th</sup> & Rokeby Road (p.16-18). Comprehensive Plan Amendment No. 03020 is the request by Mr. Hunzeker's clients for a commercial "Community Center" designation at 40<sup>th</sup> & Rokeby Road, which was heard and recommended for approval by the Planning Commission on June 11, 2003.
5. On May 21, 2003, the Planning Commission agreed with the staff recommendation and voted 6-0 to recommend approval. The Commissioners indicated that they were pleased with the land use plan that the applicant had prepared for the mile section (See p.19-20).

**FACTSHEET PREPARED BY:** Jean L. Walker

**DATE:** June 23, 2003

**REVIEWED BY:** \_\_\_\_\_

**DATE:** June 23, 2003

**REFERENCE NUMBER:** FS\CC\2003\CPA.03015

## 2003 COMPREHENSIVE PLAN ANNUAL REVIEW

### Comprehensive Plan Amendment No. 03015 27<sup>th</sup> to 40<sup>th</sup>; Rokeby to Yankee Hill Road Wilderness Hills

Applicant	Location	Proposal
J. Michael for Lincoln Federal Savings Bank	Area between 27 <sup>th</sup> and 40 <sup>th</sup> from Yankee Hill Road to Rokeby Road.	see below
<b>Recommendation: Approval</b> The changes to Comprehensive Plan are in conformance with the goals of the Plan and will provide an additional location for a light industrial employment center in south Lincoln.		

#### Status/Description

The applicant proposes the following:

- 1) Move the Community Center commercial designation from ½ mile south of 40<sup>th</sup> and Yankee Hill Road to 27<sup>th</sup> and Yankee Hill Road,
- 2) Move the Neighborhood Center designation from 27<sup>th</sup> and Yankee Hill Road to ½ mile south of 40<sup>th</sup> and Yankee Hill Road, and
- 3) Add industrial use at ½ mile south of Yankee Hill Road for future “employment center.”

On page F40 of the Plan it states: “For the purpose of the Comprehensive Plan, Commerce Centers have been divided into three separate size categories. The size differences reflect the differing impacts that the centers have on adjacent land uses and the public infrastructure. The three categories of Commerce Centers are:

- 1 - Regional Centers (R)
- 2 - Community Centers (C)
- 3 - Neighborhood Centers (N)”

In terms of size,

Regional Centers are over 1 million square feet in size.

Community Centers “may vary in size from 300,000 to nearly a million square feet of commercial space. Typically, new Community Centers will range from 300,000 to 500,000 square feet.” (Page F 45)

Neighborhood Centers typically range in size from 150,000 to 250,000 square feet of commercial space. Existing centers may vary in size from 50,000 to 300,000 square feet. (Page F 46)

In South Lincoln, in the area from 14<sup>th</sup> to 40<sup>th</sup> Street, generally south of Pine Lake Road, the Plan designates the following centers:

- 1) A Neighborhood Center on northeast corner of 27<sup>th</sup> and Yankee Hill Road
- 2) A Neighborhood Center to the southeast of 27<sup>th</sup> and Yankee Hill Road
- 3) A Community Center on the northwest corner of 40<sup>th</sup> and Yankee Hill Road
- 4) A Community Center ½ mile south of Yankee Hill Road on S. 40<sup>th</sup> Street

In addition, a Regional Center is designated at 27<sup>th</sup> and Pine Lake Road (South Ridge/ SouthPointe Pavilions). The intersection of 14<sup>th</sup> and Yankee Hill Road has a Community Center on the northeast corner and a Neighborhood Center on the southeast.

There are two separate, but related, Comprehensive Plan amendments at 27<sup>th</sup> and Yankee Hill Road:

Amendment #03014 North Side of S. 27<sup>th</sup> and Yankee Hill Road by Kent Seacrest on behalf of Ridge Development Company and Southview Inc. to move the Community Center commercial designation from 40<sup>th</sup> and Yankee Hill Road to 27<sup>th</sup> and Yankee Hill Road and move the Neighborhood Center designation from 27<sup>th</sup> and Yankee Hill Road to 40<sup>th</sup> and Yankee Hill Road.

Amendment #03015 South Side of S. 27<sup>th</sup> and Yankee Hill Road by J. Michael Rierden on behalf of Lincoln Federal Savings Bank.

Potentially, these two amendments could be complimentary, and lead to development of an integrated commercial center, though they are being developed by different developers.

#### Comprehensive Plan Implications

Many of the details of how this proposed amendment may or may not conform to the Comprehensive Plan is dependent upon a specific site plans for all three corners of this intersection. As stated in the Comprehensive Plan, a new Community Center should have approximately 300,000 to 500,000 square feet (SF). The Plan offers an incentive for projects to develop with more square feet, if certain criteria are met.

Currently, draft site plans for these two amendments total approximately 800,000 SF of commercial space. The applicant's draft site plan for the southeast corner of 27<sup>th</sup> and Yankee Hill Road proposes the following:

- 1) 450,000 SF total of commercial space, with approximately 125,000 SF in office use, and a "town center" of about 100,000 SF of neighborhood retail uses, (this is a slightly higher floor area ratio of 0.25 {450,000 SF on 42 acres} -- a more efficient use of land
- 2) a "town center" along S. 30<sup>th</sup> Street with pedestrian oriented commercial space (initial development of the town center will coincide with or prior to the adjacent construction of a potential "big box" store)
- 3) proposed community meeting building (developer proposing to donate land and parking for public use) or plaza
- 4) three different neighborhood road connections to the center
- 5) office uses as a buffer along S. 27<sup>th</sup> Street
- 6) an integrated architectural design (to be approved as part of plan) with extensive landscaping
- 7) significantly higher residential density to be developed adjacent to the center with both pedestrian and vehicular access to the center

- 8) extensive landscaping screening and residential uses to the south to provide an definite edge to the center (which will be developed prior to or with the “big box” store to the north)

In addition, at ½ mile south of 40<sup>th</sup> and Yankee Hill Road, the applicant is proposing

1. an integrated development of approximately 75 acres with a Neighborhood Center with approximately 250,000 SF of retail space
2. the main traffic entrance will be approximately ½ mile south of Yankee Hill Road with the traffic impact primarily on S. 40<sup>th</sup> Street, which has some future capacity in this area
3. development of an employment center with approximately 500,000 SF of light industrial, office and “flex” space (warehouse and office)
4. retention of significant drainage ways, and trees masses adjacent to the employment center in order to provide a landscape screen and buffering to residential uses

The draft site plan for the Community Center, overall has met the incentive criteria to develop with additional square feet. Specifically this plan shows (incentive criteria in italics from Page F 48):

*The center shall be located in a neighborhood with greater residential density, than is typical for a suburban area, and the center itself contains higher density residential uses (density above fifteen dwelling units per acre) integrated within the development. This criteria is mandatory for any center proposing to utilize the incentive.*

The initial plan for the first phase of the Wilderness Hills neighborhood, included two apartment areas with 475 units and density of 30 dwelling units per acre. The overall residential area is in excess of the typical 3 dwelling units per acre – it proposed 616 dwelling units on 55.5 residential acres or 11 dwelling units per acre.

*Provide a significant mix of uses, including office, service, retail, residential and open space — far more than typical single use centers. Multi-story buildings are encouraged.*

The proposal includes approximately 30% of the floor area in office use. The applicant has proposed community space or plaza for use by the public as part of the town center. A few multi-story office buildings are proposed.

*Integrate some light industrial or manufacturing uses within the center (does not apply to neighborhood centers).*

The applicant is proposing a light industrial “employment center” adjacent to the proposed Neighborhood Center on S. 40<sup>th</sup> Street, approximately ½ mile south of Yankee Hill Road. This would provide a significant area for a mix of office, flex space and light industrial uses. This area would be buffered from residential uses by two drainage ways which would provide a landscape screen and significant distance between industrial and residential uses.

*Provide public amenities such as recreational facilities, significant open space, plazas, public squares and other types of public facilities or meeting areas.*

The applicant has proposed to provide land and parking for a public meeting building within the Community Center. If the City does not require this space, the applicant has agreed to build a plaza or “square” within the commercial center that would be available to the public.

*Are supported by a street network with significant traffic capacity in the future, rather than on streets that already have significant commercial development.*

Several locations along S. 27<sup>th</sup> Street are projected to be at or over capacity as the Plan is built out. Particularly, S. 27<sup>th</sup> and Old Cheney Road has significant capacity issues in the long term. Yankee Hill Road and S. 40<sup>th</sup> Street do have some traffic capacity in the long term. Public Works and Utilities notes that the applicant will need to address the traffic impact. This proposal made lead to the need to advance several road projects, including S. 40<sup>th</sup> Street, in advance of the timing in the proposed CIP.

*Provide for even greater pedestrian orientation in their layout, physical arrangement of buildings and parking —buildings shall be oriented to pedestrians.*

The primary pedestrian corridor will S. 30<sup>th</sup> Street. The present plan orients numerous buildings to S. 30<sup>th</sup> Street which are conducive to a pedestrian environment. The proposed plan, with multiple vehicle and walking access points should benefit pedestrians.

*Provide for transit opportunities in the center design.*

S. 30<sup>th</sup> Street provides an opportunity for bus service to circulate through the area. The town center concept provides a good location for a transit stop. The greater density of the neighborhood and the commercial center could support greater use of a transit stop.

In regards to the proposed industrial and commercial uses, the Lincoln/ Lancaster County Health Department notes that:

“This proposed comprehensive plan amendment also locates commercial zoning adjacent to residential zoning. The same concerns apply that were aforementioned for the proposed amendment #11 regarding commercial uses adjacent to residential. In addition, the LLCHD has been advised that Lincoln Public Schools will be utilizing the proposed public/semi public parcel of land. The LLCHD recommends a maximum buffer distance, as possible, between any proposed school and commercial or industrial uses.”

The applicant is proposing a considerable buffer area to the south and west in the retention of the drainage way as part of this proposal. The details of the transition from industrial to residential uses can be further reviewed as part of a future use permit, which is required by I-3 Employment Center zoning which would be proposed for this site. The future school should be approximately 1/4 mile or more from any industrial uses.

The area shown as Green Space is in conformance with the proposed Southeast Upper Salt Creek Watershed Master Plan (see Amendment #03004). The Green Space has been identified the 100 year flood prone area. How this area will be integrated into the overall development is still under discussion with the applicant.

Public Works and Utilities also notes that the water and wastewater improvements needed for the entire project area are still several years out in the proposed CIP. A 24 inch water main is not until 2005 to serve the 27<sup>th</sup> and Yankee Hill Road vicinity and a majority of the site is dependent upon a sanitary sewer which is not be in service until 2007.

## Conclusion

This amendment is in conformance with the principles of the Comprehensive Plan for commercial centers. The draft site plan for the Community Center, overall, has met the incentive criteria in the Plan to develop with additional square feet. The proposed 450,000 square feet of commercial space, however, should only be approved if future use permits follow through with the details of the plan as proposed. If future use permits and plats vary from the proposal, then this center should develop with approximately 250,000 SF of space as part of a smaller 600,000 SF Community Center at this intersection.

Numerous goals of the Comprehensive Plan encourage the proposed pedestrian oriented commercial center, public amenities, employment center uses, mix of housing types and greater efficiency in the use of land in this application. The Plan discourages strip commercial and as this center develops the applicant has agreed to phase the development in order to insure that this part of the Community Center will not strip commercial uses to the south or east.

The light industrial employment center, adjacent to the Neighborhood Center on S. 40<sup>th</sup> Street, north of Rokeby Road is also in conformance with the Comprehensive Plan. Specifically the Plan states “new light industrial centers should be located in new growth areas of the city.” (Page F 39) The proposed site will provide a sufficient buffer area between residential and industrial uses. The Plan states that “due to lesser potential impacts, the (employment) centers can be located closer to residential, though residential uses should be buffered through landscaping, large setbacks and transitional uses, such as office or open space. Again, future use permits and plats must follow through on the concepts for this employment center as proposed.

Amend the Comprehensive Plan as follows:

1. Amend the “Lincoln/Lancaster County Land Use Plan”, figure on pages F23 and F25, to designate the Commercial, Industrial, Green Space, and Public and Semi-Public land uses as shown on the attached plan.
2. Amend the “Existing and Proposed Industrial Centers” on Page F 39 to add a Light Industrial center ½ mile south of Yankee Hill Road on the west side of 40<sup>th</sup> Street as “Unbuilt Approved Center (Site Specific)”
3. Amend the list of proposed locations for Light Industrial centers to add “½ mile south of Yankee Hill Road on the west side of 40<sup>th</sup> Street” on Page F 40.
4. Amend the “Existing and Proposed Commerce Centers” on Page F 41 as shown on the attached map to:
  - a. On the southeast corner of 27<sup>th</sup> and Yankee Hill Road delete the Neighborhood Center and instead designate a Community Center as “Unbuilt Approved Center (Site Specific)” for the intersection of 27<sup>th</sup> and Yankee Hill Road.
  - b. Generally ½ mile south of Yankee Hill Road on the west side of 40<sup>th</sup> Street, delete the Community Center “New Proposed Center” (General Location) and instead designate a Neighborhood Center as “Unbuilt Approved Center (Site Specific)”.
5. Amend the list of proposed locations of future Community Centers on page F 46 as follows:

C	“ <del>South 40<sup>th</sup> Street, ½ mile between Yankee Hill Road and Rokeby Road</del>
C	<u>S. 27<sup>th</sup> and Yankee Hill Road</u> ”

# COMPREHENSIVE PLAN AMENDMENT NO. 03015

## PUBLIC HEARING BEFORE PLANNING COMMISSION:

May 21, 2003

Members present: Carlson, Larson, Duvall, Taylor, Steward and Schwinn; Krieser and Bills-Strand absent.

Staff recommendation: Approval.

### Proponents

**1. Mike Rierden** appeared on behalf of **Lincoln Federal Savings Bank of Nebraska, Security Financial Life, Brester Construction** and a number of individuals investing in this project. The entire property is approximately 550 acres bounded by 40<sup>th</sup>, 27<sup>th</sup>, Yankee Hill Road and Rokeby Road. This amendment is a request to flip-flop the designations with the Neighborhood Center and Employment Center at 40<sup>th</sup> and Yankee Hill Road with the Community Center spanning three corners at 27<sup>th</sup> and Yankee Hill Road. There were earlier comments in regard to the floodplain and the drainage area, and Rierden is glad that the Southeast Upper Salt Creek Watershed Master Plan amendment was deferred until June 11<sup>th</sup>. This will give him opportunity for further discussions with staff.

Rierden then showed the concept plans. This is a request for 450,000 sq. ft. of commercial space at the southeast corner of 27<sup>th</sup> and Yankee Hill Road with various other components, and 250,000 sq. ft. of retail/neighborhood center space one-half mile south of Yankee Hill Road on the west side of 40<sup>th</sup> Street, along with the light industrial.

**2. Jim Hille** with **Sinclair Hille** appeared on behalf of the design team working towards development of this master plan. The goal of the master plan is to adhere to an organizational character that, in the end, will reinforce the creation of a neighborhood setting, linking together those different land uses that include the community center, the neighborhood center, the employment center, the public school and the residential properties. They also have the general goal to create a development that is as pedestrian-friendly as possible. This is attempted to be achieved by reserving the green space aligned with the drainageways that exist. The intent is also to enhance the green space through the addition of a trail system that leads across the diagonal from 40<sup>th</sup> Street south to Rokeby Road, as well as the trail system that heads north of Yankee Hill Road. The second part is the creation of a boulevard that links together the neighborhood center and the community center. They are organizing the land use abutting the boulevard so that the residential properties front the boulevard. The boulevard also will be constructed with roundabouts at both its end points as well as midpoint at the school.

Rierden added that they are ready to come forward with the change of zone, use permit and subdivisions on the portion of the property that is sewerable, which will include the community center. They are not opposed to having a car dealership across the street.

Carlson asked the applicant to address the waterway/drainageway in relation to the employment center. Rierden suggested that this is an ideal location for the employment center because there is a tree line that buffers the residential and the school property from the employment center.

### Opposition

**1. Mike Carlin** appeared in opposition. His comments relate both to Amendment No. 03014 and Amendment No. 03015. Each of these amendments would take commercial community centers (300,000 to 1,000,000 sq. ft.) and swap places with areas on 27<sup>th</sup> that are commercial neighborhood centers (150,000 to 250,000 sq. ft.), thus taking the two larger commercial areas from 40<sup>th</sup> Street to 27<sup>th</sup> Street. Carlin submitted that the Comprehensive Plan takes into account all development and growth related

factors as they relate to each other. Carlin suggested that approving these two amendments will tip that balance and will have a negative effect on the city and its residents. The Comprehensive Plan placed these centers so that the roads could effectively handle the traffic coming from these developments. He believes this will increase the pressure to widen 27<sup>th</sup> Street between South Street and Hwy 2. The area at 27<sup>th</sup> and Yankee Hill Road is sewerable and he believes this is the reason behind this request. It appears that the amendments are requested to take advantage of that fact and build where they can build now.

Carlin believes that the proposed amendment to the land use plan will also require amendment to the Upper Salt Creek Stormwater Master Plan. He observed that some stormwater master plans have a tendency to be slow to be funded. Beal Slough was completed in 1999 and the last he heard it was about 20% funded. Irreparable damage can be done in a drainage basin before the stormwater control measures can be taken.

In addition, Carlin pointed out that this moves the two larger commercial centers closer to Wilderness Park. It just does not make sense to him to make this change. If this occurs and if the traffic does bottleneck on 27<sup>th</sup>, at some point someone is going to come back forward to put a road through Wilderness Park and will use this as ammunition.

**2. Mark Hunzeker** appeared on behalf of **John Sampson** and **Dave McEwen**, owners of property on three corners of 40<sup>th</sup> & Rokeby Road and a substantial amount of property east of 40<sup>th</sup> Street. The original incarnation of this plan had a commercial community center designation at the intersection of 40<sup>th</sup> & Rokeby Road. During a subsequent update there was a change which moved it to the neighborhood center along 40<sup>th</sup> Street half-way between Yankee Hill Road and Rokeby Road. If the commercial center is turned into a neighborhood center, there is a very substantial amount of area that is shown for urban residential development which has no commercial designation to serve it. Hunzeker believes there should be a community center designation in the vicinity of 40<sup>th</sup> & Rokeby Road. He and his clients have had discussions with the staff, and he believes they have reached agreement to bring forward such an application to be heard on June 11<sup>th</sup>. His clients are not opposed to this application.

### Staff questions

Steward inquired as to the criteria for locating these centers as far as distance. Steve Henrichsen of Planning staff explained that we typically look to have at least one neighborhood center within a square mile of urban use; community size centers would be at least 2-3 miles apart; and regional centers would be greater distances. In this particular area, prior to adoption of the Comprehensive Plan in 2002, there were several community centers approved in this area that were already quite large, including Vavrina Meadows with 450,000 sq. ft. at 14<sup>th</sup> & Yankee Hill Road; B-2 zoning with use permit at 27<sup>th</sup> and Yankee Hill Road; and 40 acres of commercial, 25 of which was neighborhood commercial, on the northwest corner of 40<sup>th</sup> & Yankee Hill Road. Thus, the designations in the Comprehensive Plan were really not exactly a perfect fit for what the Comprehensive Plan was talking about in terms of spacing.

Henrichsen went on to explain that part of the reasons for the staff's recommendation to approve this amendment is that we were in an area that is not a perfect fit in terms of spacing requirements for community centers, but we are trying to work within this area to address other Comprehensive Plan goals in terms of pedestrian oriented center, mix of uses, multiple connections, etc. This proposed amendment meets these goals, although he agrees that the spacing would not be perfect.

Steward asked for clarification of the previously approved large community center and a neighborhood center at the intersection of Yankee Hill Road and 14<sup>th</sup> Street. Henrichsen pointed out that that site is mentioned in the staff report on p.142-143. As staff reviewed this application, it became apparent that Vavrina Meadows on northeast corner and Wilderness Woods on southeast corner would really function



as one large community center. This is partly reflecting some existing circumstances and both of those were approved prior to adoption of the Comprehensive Plan in 2002. This amendment does not affect the properties already zoned.

Carlson believes the philosophy behind the spacing criteria is meant to provide the potential for service for a given area that surrounds it. He suggested that an auto dealership does not really serve a commercial center. Henrichsen concurred, stating that the two community centers at 14<sup>th</sup> and 27<sup>th</sup> and Yankee Hill Road would be providing very different services.

Carlson asked staff to discuss traffic in terms of the South Beltway. Henrichsen explained that the beltway location is approximately halfway between 27<sup>th</sup> and 40<sup>th</sup>. Part of the future road plan to angle 27<sup>th</sup> as it comes to Saltillo Road is to maintain that as the predominant movement toward the South Beltway. Staff does not believe this amendment increases the likelihood of making changes to Yankee Hill Road as it heads west of 14<sup>th</sup> Street. Traffic studies will be required with the use permits for the northeast and northwest corners of 27<sup>th</sup> and Yankee Hill Road. In general, they are approved for 325,000 sq. ft. They are proposing about 350,000 sq. ft. and that mix might have less traffic generation. The southeast corner might be a minor increase but there would be less retail uses on the 40<sup>th</sup> Street side. Within the neighborhood you could go to either center and not have to use arterial streets.

Carlson inquired about the impact on the floodway and stormwater. Nicole Fleck-Tooze of Public Works indicated that one issue was with regard to the model assumptions for the watershed management plan. Staff actually looked at two different future scenarios with the commercial center very generally shown. Staff also modeled a full urban buildout scenario based upon a mix of land uses, and there was not a significant difference. She does not think this change would make a difference in terms of the model in future conditions. Fleck-Tooze further advised that the staff is continuing to have discussions with the property owner on how to best accommodate those objectives of the master plan and the development, i.e. preservation of the floodplain corridor and water quality and stream stability components. There are components identified in the master plan in this development area.

Henrichsen offered that the use permit and changes of zone are in the sewerable portion of the site and not adjacent to the drainageways.

**COMPREHENSIVE PLAN AMENDMENT NO. 03015**  
**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

May 21, 2003

Duvall moved approval, seconded by Larson.

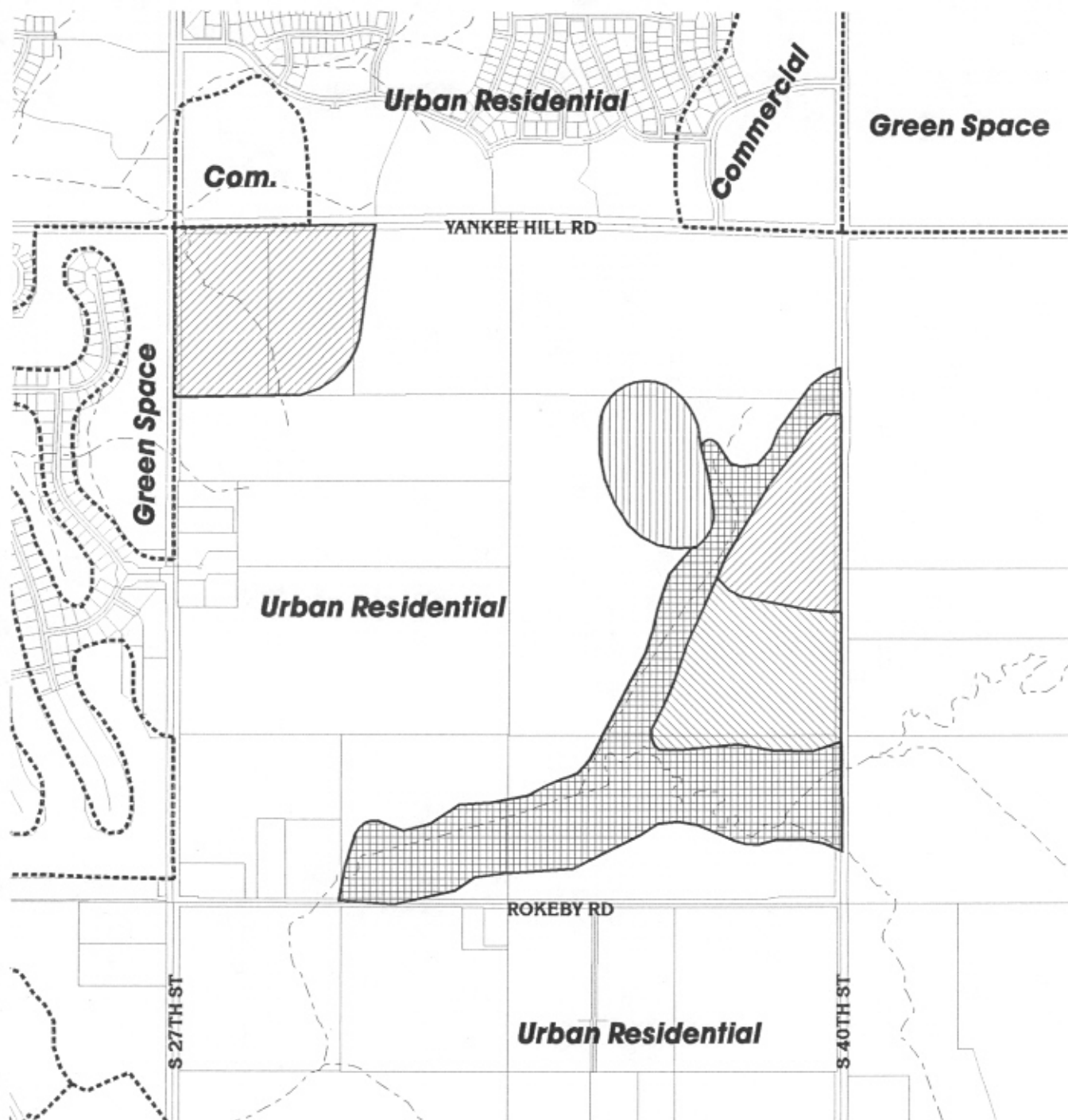
Duvall likes the commercial on 27<sup>th</sup> as well as the industrial on 40<sup>th</sup>.

Carlson commented that he appreciates the plan that was shown and he is very pleased with the connectivity and access to the school.

Steward's comments refer to both Amendment No. 14 and Amendment No. 15. He will support this motion based upon the depth of thinking that the proposers have put into the land use pattern. He believes it is innovative and he believes it will take some of the traffic pressures off that we would otherwise see, which therefore suggests that design thinking and more detailed planning can make a difference.





Schwinn noted that it makes it a lot easier to vote when the Commission sees something more concrete.

Motion for approval carried 6-0: Carlson, Larson, Duvall, Taylor, Steward and Schwinn voting 'yes'; Krieser and Bills-Strand absent.



# Wilderness Hills Land Use Plan

## Comprehensive Plan Proposed Amendment #15

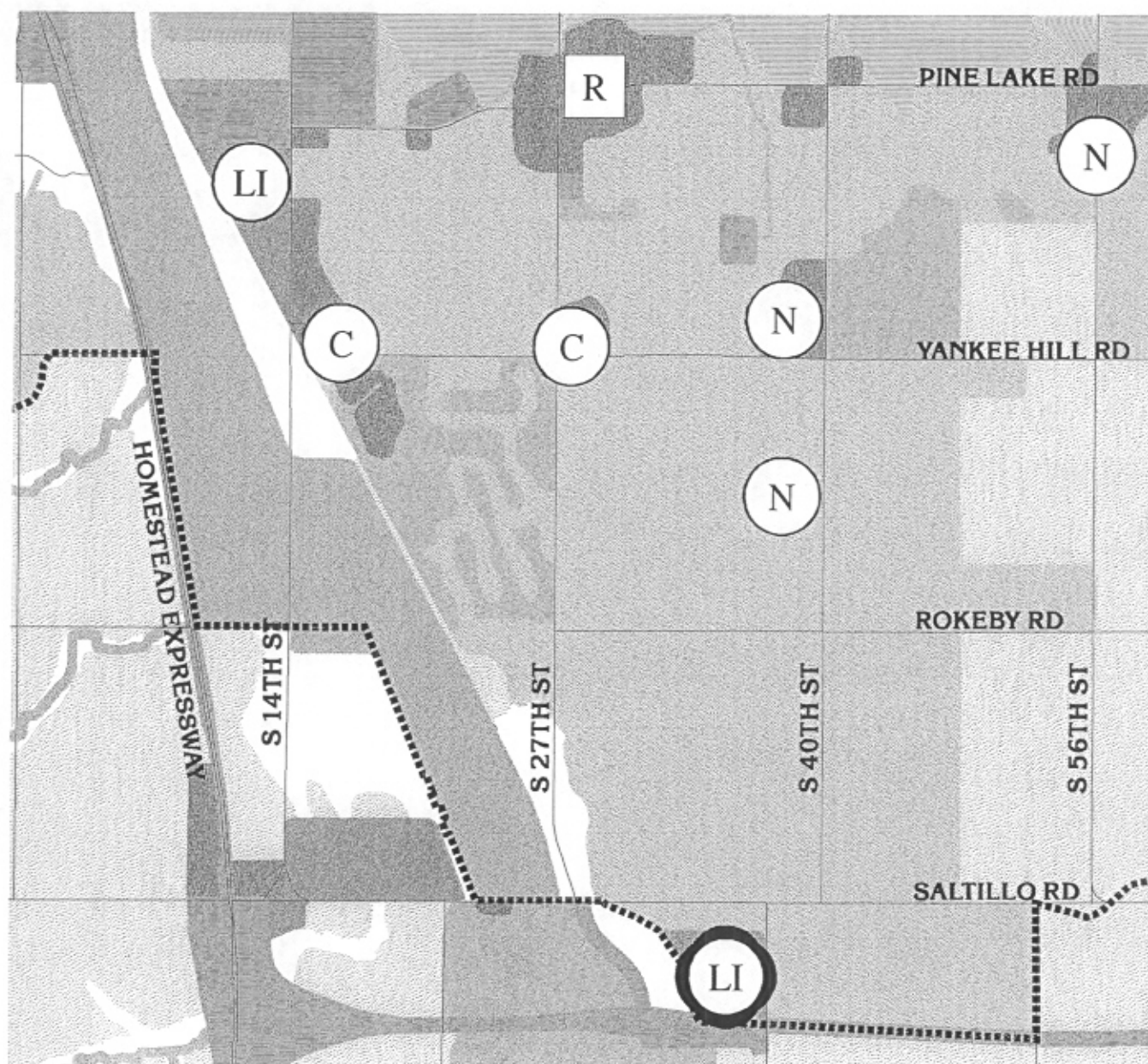
- Land Use Boundary  
**Res** Land Use Category  
**PROPOSED LAND USE CATEGORIES (From Urban Residential)**
- |   |                    |   |             |
|---|--------------------|---|-------------|
|  | Commercial         |  | Green Space |
|  | Industrial         |   |             |
|  | Public/Semi-Public |   |             |



FEET  
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Future Service Limit



Existing Center



Unbuilt Approved Center  
Site Specific

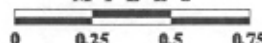


New Proposed Center  
Not Site Specific

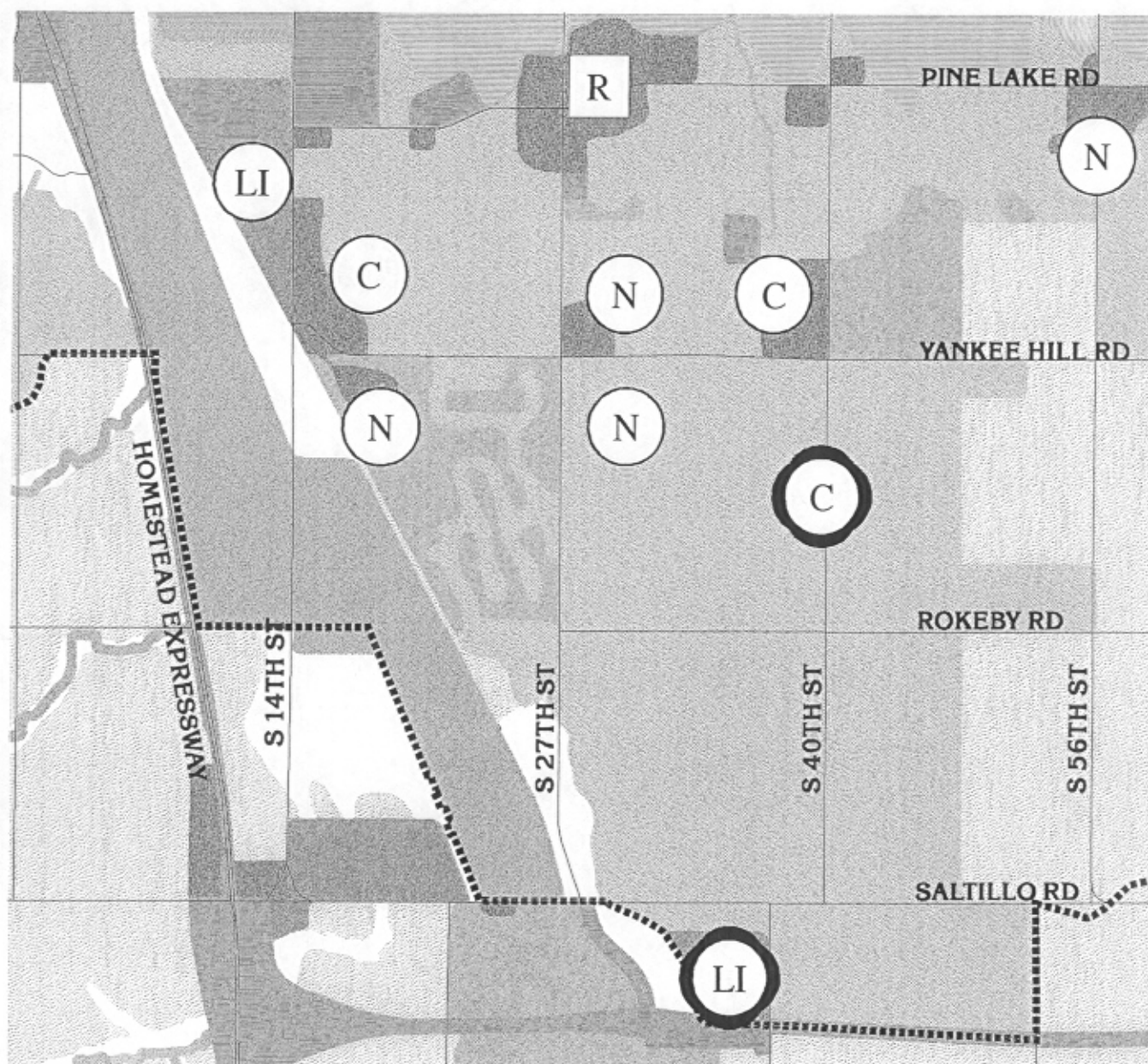
R Regional  
N Neighborhood  
C Community  
LI Light Industry



MILES



011



# Commercial Centers

As Shown in the Approved Comprehensive Plan

- ..... Future Service Limit
- R Existing Center
- C Unbuilt Approved Center Site Specific
- C New Proposed Center Not Site Specific



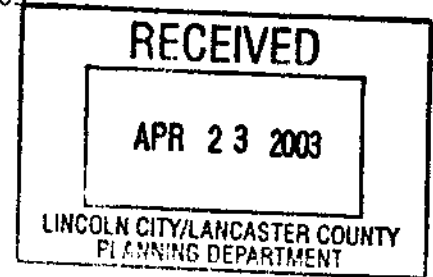
**J. Michael Rierden**  
ATTORNEY AT LAW

THE COTSWOLD  
645 "M" STREET  
SUITE 200  
LINCOLN, NE 68508

TELEPHONE (402) 476-2413  
TELECOPIER (402) 476-2948

April 23, 2003

Steve Henrichsen  
Lincoln-Lancaster County  
Planning Department  
555 South 10<sup>th</sup> Street  
Lincoln, Nebraska 68508



RE: Southeast Corner of 27<sup>th</sup> and Yankee Hill Road/One-half mile south of  
Yankee Hill Road on the west side of South 40<sup>th</sup> Street

Dear Steve:

As you are aware, one of the aforementioned parcels of real estate is my client, namely Lincoln Federal Savings Bank of Nebraska. As a result of the meetings that we have had with you and Planning staff it is my understanding that we have reached an agreement on Comprehensive Plan amendments for both of the aforementioned sites. My understanding of that agreement is as follows, to-wit:

In regards to the southeast corner of 27<sup>th</sup> and Yankee Hill Road we agree to the following:

- 450,000.00 square feet total of commercial space, with approximately 125,000 square feet in office use, and a "town center" of approximately 100,000 square feet of neighborhood uses be developed upon 43 to 45 acres.
- A "town center" along South 30<sup>th</sup> Street with pedestrian oriented commercial space (initial development of the town center will coincide with or prior to the adjacent construction of a potential "big box" store).
- Proposed community meeting building (developer proposing to donate land and parking for public use to allow for a 5,000 square foot building) or plaza.
- Three different neighborhood road connections to the center.
- Office uses as a buffer along South 27<sup>th</sup> Street.



Steve Henrichsen  
April 23, 2003  
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- An integrated architectural design (to be approved as part of plan) with extensive landscaping.
- Significantly higher residential density to be developed adjacent to the center with both pedestrian and vehicular access to the center.
- Extensive landscaping, screening, and residential uses to the south to provide a definite edge to the center (which will be developed prior to or with the "big box" store to the north).

In addition, one-half mile south of Yankee Hill Road on the west side of South 40<sup>th</sup> Street, we have agreed to the following, to-wit:

- An integrated development of approximately 77 acres with a neighborhood center with approximately 250,000 square feet of retail space.
- The main traffic entrance will be approximately one-half mile south of Yankee Hill Road with the traffic impact primarily on South 40<sup>th</sup> Street, which has some future capacity in this area.
- Development of an employment center with approximately 500,000 square feet of light industrial, office and "flex" (warehouse and office).
- Retention of significant drainage ways, and tree masses adjacent to the employment center in order to provide a landscape screen and buffering to residential uses.

We look forward to working with you and the Planning Department as these two matters are presented to the Planning Commission and City Council. Additionally, I will plan on being present and available for any questions, not only the Planning Commission and City Council meetings but also City Council/County Board Common meetings that have been scheduled. If you should have any questions please feel free to contact me.

Yours very truly,

J. Michael Rierden

JMR/jdr

cc: Jerry Maddox  
Leo Schumacher  
Don Linscott  
Bill Schmeeckle

Planning Commission  
555 S. 10<sup>th</sup>  
Lincoln, NE 68508

Commissioners,

This letter is to argue **against the approval** of Comprehensive Plan amendments 14 & 15.

Each of these two amendments would take areas on S 40th St designated as Commercial Community Centers (300,000 to 1,000,000 square feet; example: Edgewood Shopping Center) and swap places with areas on S 27th St designated as Commercial Neighborhood Centers (150,000 to 250,000 square feet; example: Indian Village Shopping Center). This would place the two larger commercial areas both on S 27th St instead of S 40th St.

The Comprehensive Plan is exactly that: a comprehensive plan that takes into account all development and growth related factors as they relate to each. Maintaining the desired balance between infrastructure funding and development, residential development and commercial development is one of the major goals of the plan. Approving these two amendments will tip that balance in ways that will have a primarily negative effect on the city and its residents.

- Traffic balance. The Comprehensive Plan charted the placement of the various sized commercial centers so that the current and planned for road system could effectively handle the resultant increases in traffic that come with commercial development. These two larger commercial centers were intentionally planned for S 40th St to help spread traffic out, allowing both S 27th and S 40th Sts to absorb the traffic. Moving the larger commercial centers to S 27th St will concentrate that traffic on S 27th St, creating a traffic choke point and increasing the pressure to widen S 27th St to four-plus-one lanes between South St and Highway Two.

- Development balance. There is a ridgeline between the S 27th St sites and the S 40th St sites that places them in different drainage basins. The S 27th St sites will be provided with sewer and water service several years before the S 40th St sites are. It appears that the two amendment requests are designed to take advantage of this fact. More commercial development would occur sooner, upsetting the delicate balance of commercial and residential development.

- Stormwater planning balance. The Upper Salt Creek Stormwater Master Plan has been completed based on the current land use plan. Amending the land use plan will also require amending the Stormwater Master Plan, which already includes a complex array of stormwater control measures. Since Stormwater Master Plans are slow to be funded (the Beal Slough Master Plan, completed in 1999, is less than 20% funded), irreparable damage from premature commercial development will have already occurred before control measures can be put into place.

Please disapprove these two amendment requests. They are not in the public's best interest.

Michael Carlin  
Member, Friends of Wilderness Park  
2700 West Paddock Rd  
Lincoln, NE 68523

cc: Planning Commission  
Marvin Krout, Steve Henrichsen  
Kent Seacrest  
Rick Peo  
Michael Rierden  
Public Works & Utilities

**PIERSON, FITCHETT, HUNZEKER, BLAKE & KATT**  
Law Firm

Gary L. Aksamit  
William G. Blake  
Thomas J. Fitchett  
Mark A. Hunzeker  
Peter W. Katt  
William C. Nelson  
David P. Thompson  
Patrick D. Timmer  
Randy R. Ewing  
Shanna L. Cole  
Jason L. Scott

1045 Lincoln Mall, Suite 200  
P.O. Box 95109  
Lincoln, Nebraska 68509

Fax (402) 476-7465  
Telephone (402) 476-7621

May 21, 2003

Marvin Krout, Director of Planning  
City of Lincoln  
555 So. 10<sup>th</sup> Street  
Lincoln, NE 68508

Re: *Comprehensive Plan Amendment No. 03014 and No. 03015*

Dear Mr. Krout:

As we have discussed with you and Steve Henrichsen, my clients David McEwen and John Sampson, are the owners of land on the northeast, southeast and southwest corners of the intersection of South 40<sup>th</sup> Street & Rokeby Road. The original version of the 2002 Comprehensive Plan included a community center at the intersection of 40<sup>th</sup> & Rokeby Road. In a Comprehensive Plan Revision, the community center was moved north to 40<sup>th</sup> Street at approximately halfway between Rokeby Road and Yankee Hill Road. Now, the above-captioned applicants seek to modify the plan once again, moving the community center to 27<sup>th</sup> & Yankee Hill Road.

We have no objection to the land uses proposed by either Plan Amendment No. 03014 or No. 03015. However, we do take exception to the elimination of a community commercial center in the vicinity of 40<sup>th</sup> & Rokeby Road. Upon review of the map and consideration of the amount of land designated for residential use, which is east of Wilderness Park and south of Yankee Hill Road, we believe there will be ample population to support the community center in that area.

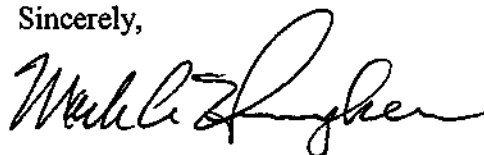
Therefore, we request that a community center designation (non-site specific) be added to the Comprehensive Plan land use map as shown on the attached map, and that the list of developing community centers on page F46 of the Comprehensive Plan be amended by adding "South 40<sup>th</sup> & Rokeby Road".



Marvin Kraut  
May 21, 2003  
Page 2

We appreciate the time you and Steve have taken to discuss this matter, and we look forward to this matter being placed on the agenda for public hearing as you indicated in our meeting. Thank you very much.

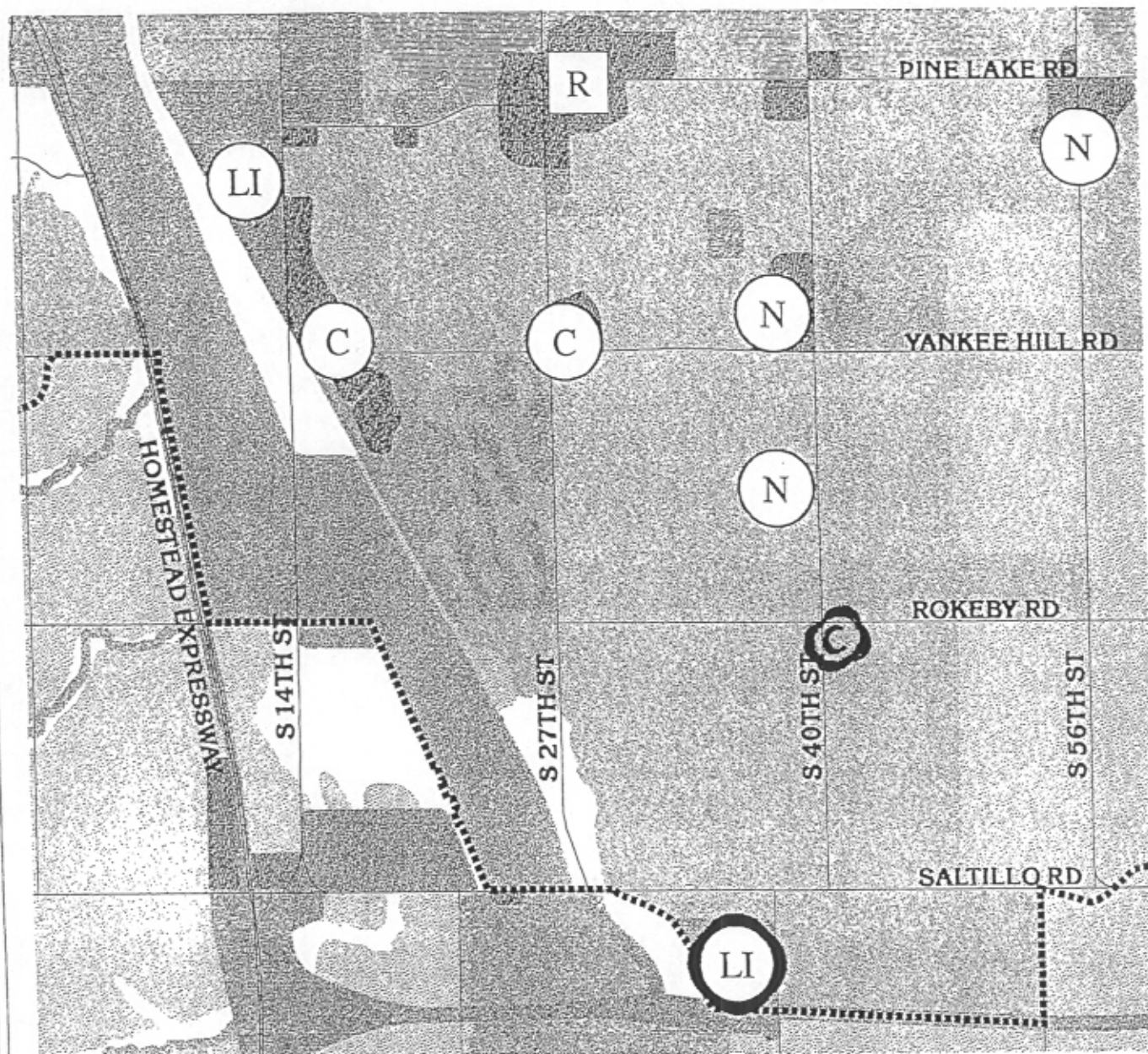
Sincerely,

A handwritten signature in cursive script, appearing to read "Mark A. Hunzeker".

Mark A. Hunzeker  
For the Firm

MAH:sb

(G:\WPData\MH\Kraut 5-21.ltr.wpd)



# **S 27th / S 40th & Rokeby Road Area**

## **Comp Plan Proposed Amendment**

----- Future Service Limit



Existing Center



Unbuilt Approved Center  
Site Specific



New Proposed Center  
Not Site Specific

R Regional

N Neighborhood

C Community

LI Light Industry



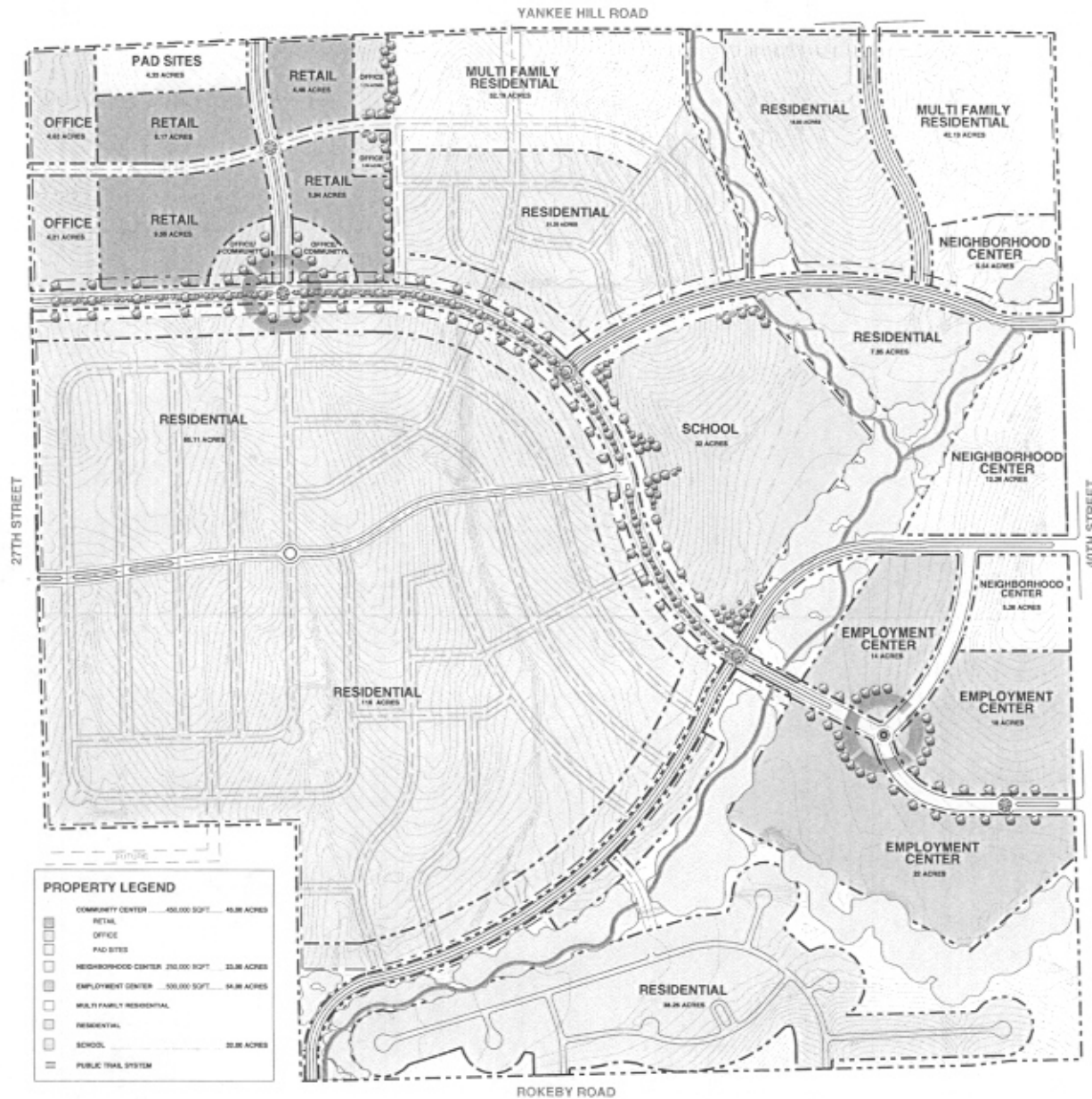
MILES

0 0.25 0.5 0.75



# WILDERNESS HILLS MASTER PLAN

Lincoln, Nebraska



Concept Plan  
Scale - NONE

Engineering Design Consultants

Civil Engineers

Sinclair Hille Architects

Architects

Klover Architects

Consultant Architects

Date - 05.20.03

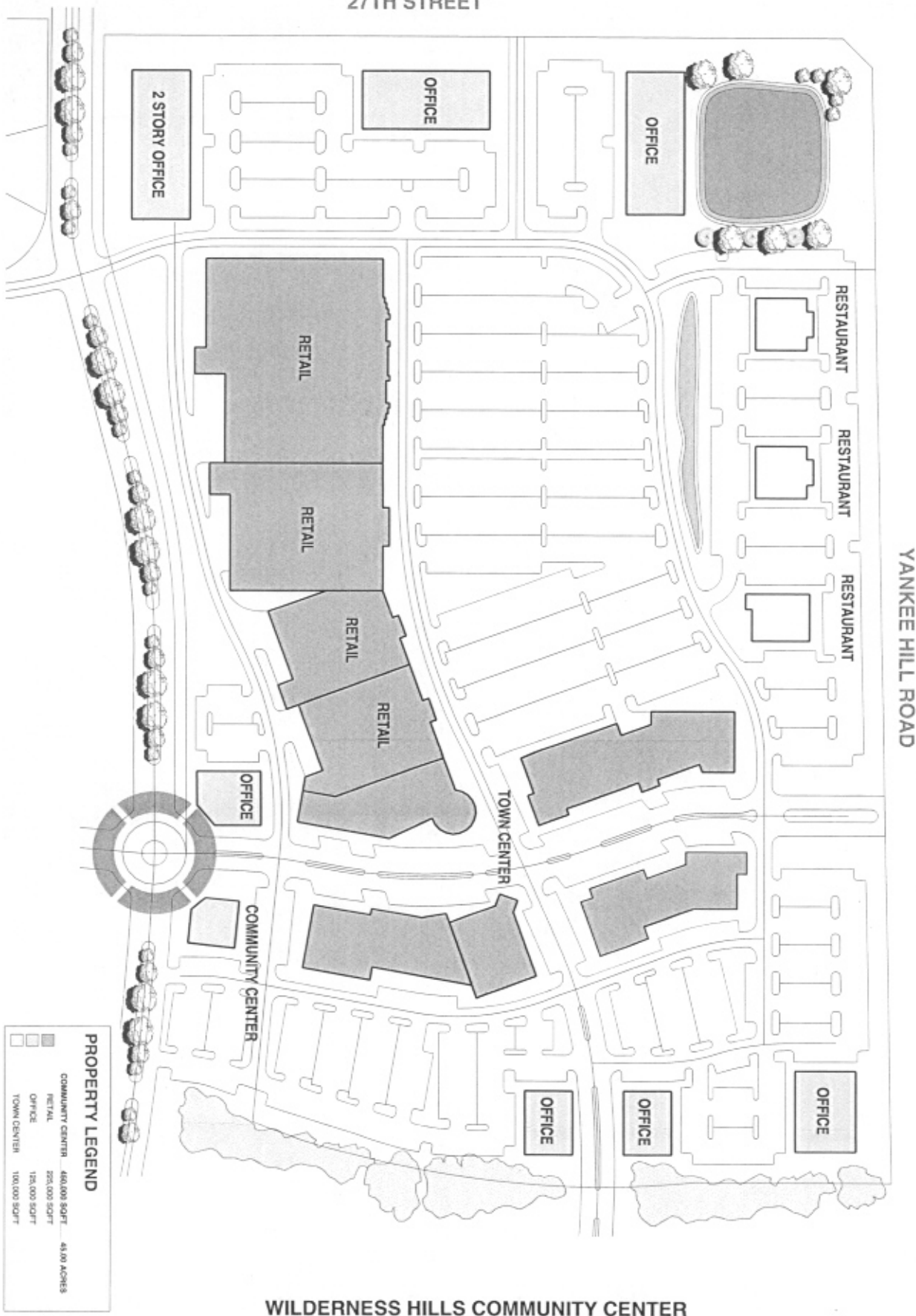
MAY 20 2003



019

LINCOLN CITY LANDMASTER PLAN  
PLANNING DEPARTMENT

27TH STREET



**PROPERTY LEGEND**

	COMMUNITY CENTER	460,000 SQFT	45.00 ACRES
	RETAIL	225,000 SQFT	
	OFFICE	125,000 SQFT	
	TOWN CENTER	100,000 SQFT	

**WILDERNESS HILLS COMMUNITY CENTER**

Concept Plan  
Scale - NONE

Engineering Design Consultants  
Civil Engineers

Sinclair Hille Architects  
Architects

Klover Architects  
Consultant Architects

MAY 20 2003

Date - 05.20.03

